

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

<b>HOME IMPROVEMENT WAREHOUSE,</b>	)	
	)	
Plaintiff,	)	
	)	
V.	)	Civil No. <b>10-24-JPG</b>
	)	
<b>CINCINNATI INSURANCE,</b>	)	
	)	
Defendant.	)	

**ORDER**

**PROUD, Magistrate Judge:**

Before the Court is plaintiff's motion for leave to file an amended complaint. (**Doc. 11**). Although plaintiff has not specified why amendment is sought or submitted a proposed amended complaint as required, plaintiff does allude to the pending motion to dismiss.

**IT IS THEREFORE ORDERED** that the subject motion (**Doc. 11**) is **GRANTED**; on or before **March 31, 2010**, plaintiff shall file an amended complaint.

**IT IS FURTHER ORDERED** that upon the filing of an amended complaint, the Clerk of Court shall have the record reflect that defendant's motion to dismiss (**Doc. 4**) is **MOOT** in all respects.

**IT IS SO ORDERED.**

**DATED: March 16, 2010**

s/ Clifford J. Proud  
**CLIFFORD J. PROUD**  
**U. S. MAGISTRATE JUDGE**